

Practitioner's Docket No.: 892_041

USPTO
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Kazuo MASUDA

2009 MAY -1 PM 4:46

Ser. No.: 10/583,900

Group Art Unit: 2856

Filed: June 21, 2006

Examiner: Rodney T. Frank

Title: TESTING METHOD AND APPARATUS GROUND LIQUEFACTION AND DYNAMIC CHARACTERISTICS IN ORIGINAL POSITION UTILIZING BORING HOLE

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on April 29, 2009.

Melissa T. Kuczynski
Melissa T. Kuczynski

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

Sir:

Refund Request

This is a request for a refund, with respect to the charge to Deposit Account 50-1446, shown on the statement dated April 2009, for the above-identified application.

- ☒ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

Fees Charged for Which Refund Is Requested

Amount of Refund

- ☐ Filing fee
- ☐ Excess claims
- ☐ Claims in Excess of 20
- ☐ Independent Claims in Excess of 3
- ☐ Multiple Dependent Claims
- ☐ Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))
- and/or
- ☐ Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))

- | | |
|---|-----------|
| <input type="checkbox"/> Extension of term | |
| <input type="checkbox"/> first month | _____ |
| <input type="checkbox"/> second month | _____ |
| <input checked="" type="checkbox"/> third month | \$555.00 |
|
<input type="checkbox"/> Petition fee |
_____ |
|
<input type="checkbox"/> Other _____ |
_____ |

Explanation of Why Contested Charge is in Error

On March 16, 2009 Applicant's undersigned representative filed an Amendment with the U.S. PTO. On April 24, 2009, the PTO charged Applicant's undersigned representative's Deposit Account \$1,110.00 for a three-month extension of time fee.

Applicant is a small entity, and this fact was clearly marked on page 2 of the Amendment Transmittal. Therefore, the extension of time fee charged should have been \$555.00, not \$1,110.00.

As the PTO erroneously charged the large entity rate instead of the small entity rate, \$555.00 should be refunded to Applicant's undersigned representative's Deposit Account.

MANNER OF REFUND

Please make refund by

- ☒ crediting Deposit Account No. 50-1446.
- ☐ refunding payment.

April 29, 2009

Date

Respectfully submitted,

Stephen P. Burr
Reg. No. 32,970

SPB/mtk

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 25191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320

04/16	13368	11305446	788_143	1801	\$810.00	\$54,808.00
04/16	1275	12424054	920_202	1011	\$330.00	\$54,478.00
04/16	1277	12424054	920_202	1311	\$220.00	\$54,258.00
04/16	1276	12424054	920_202	1111	\$540.00	\$53,718.00
04/16	1351	12424054	920_202	8021	\$40.00	\$53,678.00
04/16	2769	10774454	811_106	1253	\$980.00	\$52,698.00
04/16	2770	10774454	811_106	1801	\$810.00	\$51,888.00
04/16	3273	10876782	870_012 NP	1201	\$440.00	\$51,448.00
04/16	3276	10876782	870_012 NP	1253	\$1,110.00	\$50,338.00
04/16	14295	2313730	788_018	7205	\$100.00	\$50,238.00
04/16	14296	2313730	788_018	7201	\$400.00	\$49,838.00
04/17	1915	77715435	913_041-2	7001	\$325.00	\$49,513.00
04/17	2031	77715443	913_042-2	7001	\$325.00	\$49,188.00
04/17	2113	77715448	913_043-2	7001	\$325.00	\$48,863.00
04/17	9149	60851230	931_041 PRO	8021	\$40.00	\$48,823.00
04/17	12709	11390757	791_279	1252	\$490.00	\$48,333.00
04/17	12710	11390757	791_279	1401	\$540.00	\$47,793.00
04/20	844	10527502	920_021	1252	\$490.00	\$47,303.00
04/20	845	10527502	920_021	1801	\$810.00	\$46,493.00
04/20	14335	12446289	920_203	1631	\$330.00	\$46,163.00
04/20	14336	12446289	920_203	1642	\$430.00	\$45,733.00
04/20	14337	12446289	920_203	1633	\$220.00	\$45,513.00
04/20	14424	12446289	920_203	8021	\$40.00	\$45,473.00
04/20	14427	12407214	815_121	1011	\$330.00	\$45,143.00
04/20	14429	12407214	815_121	1311	\$220.00	\$44,923.00
04/20	14430	12407214	815_121	1051	\$130.00	\$44,793.00
04/20	14428	12407214	815_121	1111	\$540.00	\$44,253.00
04/20	14582	12407214	815_121	8021	\$40.00	\$44,213.00
04/21	696	61057943	790_116 PRO	8007	\$20.00	\$44,193.00
04/21	13440	12427123	620_003	1011	\$330.00	\$43,863.00
04/21	13441	12427123	620_003	1111	\$540.00	\$43,323.00
04/21	13442	12427123	620_003	1311	\$220.00	\$43,103.00
04/21	13443	12427123	620_003	1201	\$660.00	\$42,443.00
04/21	13523	12427123	620_003	8021	\$40.00	\$42,403.00
04/21	13701	11495214	790_082	1251	\$130.00	\$42,273.00
04/22	9830	12366733	815_099	1011	\$330.00	\$41,943.00
04/22	9834	12366733	815_099	1051	\$130.00	\$41,813.00
04/22	9831	12366733	815_099	1111	\$540.00	\$41,273.00
04/22	9832	12366733	815_099	1311	\$220.00	\$41,053.00
04/22	9833	12366733	815_099	1053	\$130.00	\$40,923.00
04/22	9890	12366733	815_099	8021	\$40.00	\$40,883.00
04/22	10124	10984355	920_011	1251	\$130.00	\$40,753.00
04/22	10125	10984355	920_011	1401	\$540.00	\$40,213.00
04/24	273	11860687	720_001	1251	\$130.00	\$40,083.00
04/24	1288	12107954	790_109	8021	\$40.00	\$40,043.00
04/24	1	10583900	928_012 (New Docket) 892-041	1253	\$1,110.00	\$38,933.00
04/24	10401	0202940514	931	8014	\$25.00	\$38,908.00
04/24	10404	0225580184	931	8014	\$25.00	\$38,883.00
04/24	10405	0225440181	931	8014	\$100.00	\$38,783.00
04/24	10403	0196910711	931	8014	\$25.00	\$38,758.00

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 04/24/2009

CQUEEN SALE #00000001 Mailroom Dt: 03/16/2009 501446 10583900
01 FC : 1253 1,110.00 DA

05/11/2009 SDIRETA1 00000005 501446 10583900
01 FC:2253 555.00 DA

Adjustment date: 05/11/2009 SDIRETA1
04/24/2009 CQUEEN 00000001 501446 10583900
01 FC:1253 1110.00 CR